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*ADMITTED IN DC ONLY

December 4, 2014

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 12-375

Dear Secretary Dortch:

Global Tel*Link Corporation ("GTL"), by its attorneys, respectfully submits this letter regarding current conditions in the inmate calling service ("ICS") market relating to the waiver granted to Pay Tel Communications, Inc. ("Pay Tel").¹ On February 11, 2014, the Federal Communications Commission ("FCC" or "Commission") granted Pay Tel a *temporary* waiver of the interim interstate ICS rate caps adopted in the *ICS Order and First FNPRM*.² The *Pay Tel Waiver Order* permitted Pay Tel to charge \$0.46 per minute for interstate ICS calls at existing and new correctional facility locations unless Pay Tel's existing rates were below \$0.46 per minute.³ The

¹ *Rates for Interstate Inmate Calling Services*, 29 FCC Rcd 1302 (2014) ("Pay Tel Waiver Order").

² *Id.*; see also *Rates for Interstate Inmate Calling Services*, 28 FCC Rcd 14107 (2013) ("*ICS Order and First FNPRM*"), *pets. for stay granted in part sub nom. Securus Tech., Inc. v. FCC*, No. 13-1280 (D.C. Cir. Jan.13, 2014), *pets. for review pending sub nom. Securus Tech., Inc. v. FCC*, No. 13-1280 (D.C. Cir. filed Nov. 14, 2013) (and consolidated cases).

³ *Pay Tel Waiver Order* ¶ 20.

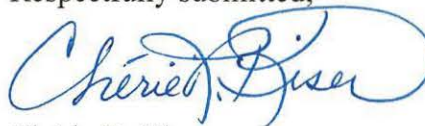
Marlene H. Dortch
Secretary
December 4, 2014

FCC explicitly limited “the duration of the waiver to nine months unless the Commission decides to take action on intrastate ICS rate caps sooner, then such Commission Order would supersede this waiver.”⁴

The Pay Tel waiver expired on November 11, 2014.⁵ Accordingly, as of November 11, 2014, Pay Tel is subject to the interim interstate ICS rate caps adopted in the *ICS Order and First FNPRM* like all other ICS providers. Despite this, every Pay Tel interstate ICS rate, except one, continues to exceed the FCC interstate interim ICS per minute rate caps of \$0.21 for debit and prepaid calls, and \$0.25 for collect calls.⁶ Pay Tel’s continued charging of interstate ICS rates in excess of the Commission’s interim rate caps is contrary to the public interest and a violation of the *ICS Order and First FNPRM* and the *Pay Tel Waiver Order*. As the Commission has explained,

ICS providers that are non-dominant interexchange carriers must make their current rates, terms, and conditions available to the public via their company website. Any violation of such responsibilities or failure to comply with existing rules may subject ICS providers to enforcement action, including, among other penalties, the imposition of monetary forfeitures. In the case of carriers, such penalties can include forfeitures of up to \$160,000 for each violation or each day of a continuing violation, up to a maximum of \$1,575,000 per continuing violation. Where the Commission deems appropriate, such as in particularly egregious cases, a carrier may also face revocation of its section 214 authorization to operate as a carrier. We caution ICS providers that, in order to avoid the potential imposition of these and other penalties, they must comply with all existing rules and requirements.⁷

Respectfully submitted,



Chérie R. Kiser

Counsel for Global Tel*Link Corporation

⁴ *Pay Tel Waiver Order* ¶¶ 19, 21.

⁵ *Pay Tel Waiver Order* ¶ 22.

⁶ See Attachment providing portions of *Pay Tel Communications, Inc. Interstate & International Rates, Terms, & Conditions for Inmate Telecommunications*, available at <http://webservices.paytel.com/paytelcom/pdfs/InterstateRTCs021214-46cents.pdf>.

⁷ *ICS Order and First FNPRM* ¶ 118.

Attachment

INTERSTATE & INTERNATIONAL INMATE TELECOMMUNICATIONS SERVICES

TITLE SHEET

INTERSTATE & INTERNATIONAL
RATES, TERMS & CONDITIONS FOR INMATE TELECOMMUNICATIONS

This document contains the descriptions, regulations, and rates applicable to the furnishing of inmate telecommunications services provided by Pay Tel Communications, Inc., with the principal offices at 4230 Beechwood Drive, Greensboro, N.C. 27410. This document applies to telecommunication services furnished by Pay Tel Communications, Inc., from Confinement Facilities to locations between the state within the United States and to international locations. This RTC may be inspected during normal business hours at the Company's principal place of business. A copy may also be obtained by visiting the Company's website, www.paytel.com, or by writing the Company.

Issued: February 11, 2014

Effective: February 11, 2014

John Vincent Townsend, President
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1-866-729-8352 ext. 178
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INTERSTATE & INTERNATIONAL INMATE TELECOMMUNICATIONS SERVICES

SECTION 4 – INTERSTATE RATES AND CHARGES (continued)4.1.3 Interstate Calls

A.	Option 1	
	All Call Types, Per Call Service Charge:	\$0.00
	All Call Types, Per Minute Charge:	\$0.46
B.	Option 2	
	All Call Types, Per Call Service Charge:	\$0.00
	All Call Types, Per Minute Charge:	\$0.45
C.	Option 3	
	Collect Per Call Service Charge:	\$0.00
	Collect Per Minute Charge:	\$0.46
	Debit, Prepaid Card & Prepaid Collect Per Call Charge:	\$0.00
	Debit, Prepaid Card & Prepaid Collect Per Minute Charge:	\$0.24
D.	Option 4	
	Collect Per Call Service Charge:	\$3.00
	Collect Per Minute Charge:	\$0.15
	Debit, Prepaid Card & Prepaid Collect Per Call Charge:	\$0.00
	Debit, Prepaid Card & Prepaid Collect Per Minute Charge:	\$0.37
E.	Option 5	
	All Call Types, Per Call Service Charge:	\$1.85
	All Call Types, Per Minute Charge:	\$0.15
F.	Option 6	
	All Call Types, Per Call Service Charge:	\$0.00
	All Call Types, Per Minute Charge:	\$0.27
G.	Option 7	
	Collect, Prepaid Collect Per Call Service Charge:	\$0.00
	Collect Per Minute Charge:	\$0.46
	Debit, Prepaid Card Per Call Charge:	\$0.00
	Debit, Prepaid Card Per Minute Charge:	\$0.23
H.	Option 8	
	Collect, Debit & Prepaid Collect Per Call Service Charge:	\$0.00
	Collect, Debit & Prepaid Collect Per Minute Charge:	\$0.46
	Debit Card Per Call Charge:	\$0.00
	Debit Card Per Minute Charge:	\$0.06

Issued: February 11, 2014

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